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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of
KLINGLER, et al.

Examiner:

Art Unit: 1614

Application No.: 10/751,545

Filed: **January 5, 2004**

Title: **SELECTIVE MMP-13 INHIBITORS**

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UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.


- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

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A concise explanation of the relevance of references EP 0463592 and 0418797:

U.S. Patent No. 5,130,317, which is referred to in the instant IDS, is essentially an English language equivalent of the EP 0418797 reference, except that additional subject matter is claimed in the EP 0418797 specification than that claimed in U.S. Patent No. 5,130,317; and U.S. Patent No. 5,260,323, which is referred to in the instant IDS, is essentially an English language equivalent of the EP 0463592 reference, except that the U.S. Patent No. 5,260,323 includes additional examples of compounds than are disclosed in the EP 046359 reference, discloses a compound having a broader scope than that disclosed in the EP 046359 reference, and appears to claim additional subject matter in the EP 046359 specification than that claimed in U.S. Patent No. 5,260,323.

Respectfully submitted,


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				Application Number	10/751,545
				Filing Date	01-05-2004
				First Named Inventor	KLINGLER, et al.
				Group Art Unit	1614
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	DEAV2003/0002 - US - NP

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KAULE, et al., Assay For 2-Oxoglutarate Decarboxylating Enzymes Based On The Determination of [1-14C] Succinate: Application To Prolyl 4-Hydroxylase, Analytical Biochemistry 184 (1990) 291-297	
		KEDERSHA, et al., An Improved Method For The Purification of Vertebrate Prolyl Hydroxylase By Affinity Chromatography, Collagen Relat. Res. 1 (1981) 345-353	
		MAJAMAA, et al., The 2-Oxoglutarate Binding Site Of Prolyl 4-Hydroxylase, Eur. J. Biochem. 138 (1984) 239-245	
		MASSOVA, et al., Matrix Metalloproteinases: Structures, Evolution, And Diversification, The FASEB Journal (1998) 12, 1075-1095	
		WEITHMANN, et al., Effects Of Tiaprofenic Acid On Urinary Pyridinium Crosslinks In Adjuvant Arthritic Rats: Comparison With Doxycycline, Inflamm Res, 46 (1997), 246-252	
		Organikum, Organisch Chemisches Grundpraktikum, 15. Aufl., VEB Deutscher Verlag der Wissenschaften, 1976; Methodenregister, S. 822	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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